

**STATE OF ALASKA
THE LEGISLATURE**

2024

Source
HJR 20

**Legislative
Resolve No.**
20



Urging withdrawal of proposed Bureau of Land Management regulations affecting the National Petroleum Reserve in Alaska; and urging meaningful engagement with tribes, local governments, and affected communities.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS, in 1923, President Warren G. Harding issued an Executive Order establishing Naval Petroleum Reserve No. 4 on the North Slope region to provide a potential supply of oil for the United States Navy; and

WHEREAS 42 U.S.C. 6501 (Naval Petroleum Reserves Production Act of 1976) redesignated Naval Petroleum Reserve No. 4 as the National Petroleum Reserve in Alaska and transferred responsibility for its administration to the Secretary of the Interior; and

WHEREAS the National Petroleum Reserve in Alaska encompasses 23,500,000 acres, with boundaries extending south from Icy Cape to the drainage divide of the Brooks Range, then following the divide eastward to 156 degrees west longitude, then north to the Colville River, and following the Colville River downstream to its mouth; and

WHEREAS the National Petroleum Reserve in Alaska falls entirely within the

boundary of the North Slope Borough and includes the communities of Atkasuk, Nuiqsut, Utqiagvik, and Wainwright; and

WHEREAS Alaska Natives have continuously inhabited the region that includes the National Petroleum Reserve in Alaska for over 10,000 years; and

WHEREAS President Biden has signed multiple Executive Orders directing federal agencies to elevate and honor tribal self-determination and the government-to-government relationship between tribes and the federal government; and

WHEREAS there are nine federally recognized tribes on the North Slope and five federally recognized tribes in the National Petroleum Reserve in Alaska; and

WHEREAS federally recognized tribal governments have a nation-to-nation relationship with federal agencies; and

WHEREAS President Biden's Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) and Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships both require meaningful consultation and collaboration with tribal officials and require tribal voices in policy deliberations that affect tribal communities; and

WHEREAS the federal government is directed to consult with Alaska Native corporations on the same basis as tribes, and Alaska Native corporations own land within and directly adjacent to the National Petroleum Reserve in Alaska; and

WHEREAS North Slope municipal and tribal governments, Alaska Native corporations, and other Alaska Native organizations have requested the proposed Bureau of Land Management regulations restricting development within the National Petroleum Reserve in Alaska be withdrawn pending meaningful tribal consultation, public meetings, and stakeholder engagement; and

WHEREAS President Biden has directed federal agencies to consider the potential benefit and harm of federal regulations, including in relation to wages and inequality; and

WHEREAS employment with Alaska Native corporations and their subsidiaries and high unionization rates in the energy industry directly contribute to better wages and lower rates of economic inequality; and

WHEREAS the 2020 National Petroleum Reserve in Alaska Integrated Activity Plan and Environmental Impact Statement estimates that the exploration, development, and

production of oil and gas in the reserve could generate 3,600 direct jobs and 2,750 indirect jobs annually over a period of 30 years; and

WHEREAS state royalties from oil and gas development in the National Petroleum Reserve in Alaska are allocated to the National Petroleum Reserve in Alaska Impact Mitigation Fund, which is used to provide the local communities of Anaktuvuk Pass, Atkasuk, Nuiqsut, Wainwright, Utqiagvik, and the North Slope Borough with grants to mitigate impacts related to oil and gas development; and

WHEREAS resource development in the state has benefited rural communities by bringing family-supporting jobs and wages, increased educational opportunities, safe water and wastewater facilities, and expanded health care services to those communities; and

WHEREAS, because of resource development and associated revenue and infrastructure investments, compared with the national average, rural areas of the state experienced greater increases in life expectancy between 1980 and 2014 in locations where resource development activities, including oil and gas development, mining, and fisheries operations, have occurred; and

WHEREAS continued development of the state's renewable and oil and gas resources with rapidly advancing carbon sequestration deployment ensures that the state can meet its own energy needs and contribute to national security and global decarbonization goals;

BE IT RESOLVED the Alaska State Legislature recognizes the authority of a legislative body and further recognizes that regulations are not intended to usurp codified law; and be it

FURTHER RESOLVED that the Alaska State Legislature affirms the importance of consultation among the federal government, tribal governments, local governments, and Alaska Native corporations regarding proposed federal regulations; and be it

FURTHER RESOLVED that the Alaska State Legislature concurs with local tribal governments and indigenous stakeholders that consultation regarding the proposed Bureau of Land Management regulations affecting the National Petroleum Reserve in Alaska was insufficient given the potential economic impact of withdrawal of land from development and effects on the ability of tribal and local governments to fund basic infrastructure with property tax revenue; and be it

FURTHER RESOLVED that the Alaska State Legislature urges withdrawal of the

Bureau of Land Management's proposed rule to adopt regulations affecting the National Petroleum Reserve in Alaska, as proposed in September 2023, asserting that the proposal (1) lacks the benefit of consultation; (2) does not align with the congressionally adopted policy of oil and gas production, subject to reasonable mitigation measures, as reflected in 42 U.S.C. 6501 (Naval Petroleum Reserves Production Act of 1976); and (3) does not serve the public interest; and be it

FURTHER RESOLVED that the Alaska State Legislature urges that future proposed regulations consider the full economic impact of resource development, including jobs within the region and throughout the state, funding for apprenticeship and other workforce development programs, employment of Alaska Native corporation shareholders and tribal members, and effects on wages for working class Alaskans; and be it

FURTHER RESOLVED that the Alaska State Legislature urges that future proposed regulations by the federal Bureau of Land Management align with the congressionally adopted policy of oil and gas production, subject to reasonable mitigation measures, as reflected in 42 U.S.C. 6501 (Naval Petroleum Reserves Production Act of 1976); and be it

FURTHER RESOLVED that the Alaska State Legislature urges that future proposed regulations by the federal Bureau of Land Management consider the role of energy production in advancing national security and energy independence for the United States and its allies.

COPIES of this resolution shall be sent to the Honorable Joseph R. Biden, President of the United States; the Honorable Kamala D. Harris, Vice President of the United States and President of the U.S. Senate; the Honorable Deb Haaland, United States Secretary of the Interior; the Honorable Tracy Stone-Manning, Director, Bureau of Land Management, U.S. Department of the Interior; Steve Cohn, Alaska State Director, Bureau of Land Management, U.S. Department of the Interior; and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Mary Peltola, U.S. Representative, members of the Alaska delegation in Congress.